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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,585	01/04/2002	Wilfred Brake	10016219-1	2328

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EXAMINER

TRAN, NHAN T

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/040,585

Applicant(s)

BRAKE ET AL.

Examiner

Nhan T. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-5,10 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,10 and 19-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 8/14/2005 with respect to claims 1, 3-5, 10, 19, 22-24 have been fully considered but they are not persuasive.

Regarding currently amended claim 1, the Applicant asserts that the amended claim 1 now recites not only that the alarm clock is at least partially within the camera body but also that the alarm clock interacts with a specific camera subsystem, i.e., the alarm clock has an output device comprising a capture device. The Applicant concludes that neither Mann et al nor Wilska et al disclose or suggest the limitation.

In response, the Examiner respectfully disagrees with the Applicant. It is clear that the alarm clock taught by Mann has an output comprising a capture device (inside camcorder 200, Figs. 1-3) such that upon coincidence "on time," the alarm clock initiates or triggers the capture device to capture or record images (see Mann, col. 6, lines 5-30). Thus, the combination of Mann and Wilska would provide a camera apparatus having integrated alarm clock (i.e., alarm clock located within the camera body as taught by Wilska, Figs. 1-3, col. 3, line 62 and col. 4, lines 48-51) that would initiate a capture device to capture images upon event alarm occurrence set by the user. The combined teachings of Mann and Wilska are advantageous in that the alarm clock and its corresponding functions taught by Mann would be integrated into the same camera body taught by Wilska to enable personal communications, data collection and image processing within a single easy-to-use camera device (also see previous Office Action).

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Regarding new independent claims 19 & 24, the Examiner respectfully submits the same analysis as for claim 1, wherein all subsystems useable in conjunction with capturing an image of an object are integrated within one single camera device with a memory storage device which is taught by both Mann, col. 3, lines 1-48 and Wilska, Fig. 3, col. 3, line 62 and col. 4, lines 48-51. It should be also noted that the memory is inherent within the camera apparatus of Wilska for storing a set time for alarm event to function as disclosed.

2. Applicant's arguments with respect to new claims 20 & 21 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-5, 10, 19 & 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mann et al (US 5,621,458) in view of Wilska et al (US 6,427,078 B1).

Regarding claim 1, Mann discloses a camera comprising:

a camera body (200; Fig. 1);

an alarm clock operable associated with said camera (see col. 3, lines 1-40 and col. 6, lines 5-30); wherein the alarm clock comprises at least a first output device comprising a capture

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device (col. 6, lines 5-30, wherein the alarm clock initiates image capturing at the camera 200 as an output device).

Mann does not teach that the alarm clock is at least partially located within said camera body. Instead, Mann teaches that the alarm clock is located within the docking station (100). Wilska teaches a camera apparatus in form of a notebook-based computer (Wilska, Figs. 1-3, col. 3, lines 5-21) in which a camera unit (14) can be *fixedly integrated* to the notebook (it is also a docking station) or removable from the notebook (Wilska, col. 4, lines 48-64). Wilska also teaches a clock with alarm clock functions built in the single integrated camera-notebook body (Wilska, col. 3, line 62).

Therefore it would have been obvious to one of ordinary skill in the art to modify the camera system in Mann in view of Wilska's teaching to include the alarm clock that is at least partially located within the camera body and operable associated with the camera together with all associated output components of the docking station to take full advantage for personal communications, data collection and image processing in a *single* multi-function camera apparatus.

Regarding claim 3, Mann in view of Wilska further discloses that the alarm clock comprises *at least* a second output device selected from a group of output devices consisting of a speaker, a strobe and a display (see Mann, col. 3, line 49 – col. 4, line 11, wherein the second output device is a display device 115).

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Regarding claim 4, also disclosed by Mann in view of Wilska is that the alarm clock comprises at least second and third output devices selected from a group of output devices consisting of a speaker, a strobe and a display (see Mann, col. 3, line 49 – col. 4, line 11, wherein the second output device is a display device 115 and the third output device is a speaker for audible beep).

Regarding claim 5, see the analyses of claims 3 & 4 and further a fourth output device being a light indicator (107) disclosed by Mann in Figs. 1 & 2, col. 4, lines 3-11 for outputting color lights upon event occurrence.

Regarding claim 10, the combination of Mann and Wilska clearly teaches that *at least* one element (a real time clock or an image sensor or a memory device) operatively associated with the alarm clock selected from a group of elements consisting of: memory storage device, a photosensor array, a computer connector, a real time clock, an always-on portion and a controller. See Mann, col. 6, lines 5-30 and col. 3, lines 1-40 and Wilska, col. 3, lines 62-65.

Regarding claim 19, see the analysis of claims 1, 3, 4 and 10 for the combined teachings of Mann and Wilska for a *single* multi-function camera apparatus comprises a plurality of subsystems (i.e., a plurality of output devices and/or memory device and a controller) useable in conjunction with said capturing an image of an object, and a memory storage device. It is clear from the teaching of Mann that inputting data (by the user) representative of a selected time of day into the memory storage device (integrated within the camera body in view of Wilska), and

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upon occurrence of said selected time of day, actuating at least one of said subsystems (i.e., initiating image capturing, displaying message or playing audible beep, etc.). See Mann, col. 4, lines 3-11 and col. 6, lines 5-30.

Regarding claim 22, Mann in view of Wilska clearly teaches that said plurality of subsystems comprises at least one display capable of displaying a captured image, and wherein said actuating at least one of said subsystems comprises actuating said at least one display (see Mann, col. 9, line 66 – col. 10, line 2 and Wilska, col. 4, lines 48-64).

Regarding claim 23, see the analysis of claim 19, wherein at least two subsystems (i.e., image capture device, display device) are actuated in response to the occurrence of alarm event.

Regarding claim 24, see the analyses of claims 1 & 19.

4. Claims 20 & 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mann et al (US 5,621,458) and Wilska et al (US 6,427,078 B1) as applied to claim 19 and in further view of Steinberg et al (US 6,885,405 B1).

Regarding claim 20, Mann in view of Wilska teaches that upon occurrence of the selected time of day, at least one (the capture device) of the plurality subsystems is actuated to capture images (Mann, col. 6, lines 5-30). Mann and Wilska do not explicitly teach that the plurality of

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subsystems comprises at least one light source capable of illuminating said object and wherein said actuating at least one of the subsystems comprises actuating said at least one light source.

However, as taught by Steinberg, a camera apparatus comprises an intelligent flash subsystem for illuminating an object by outputting one or more series of flashes upon capturing the object for optimum exposure while using optimum flash energy for power saving (see Steinberg, col. 2, lines 39-44 and col. 4, lines 20-48).

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of intelligent flash subsystem including a light source from Steinberg into the single integrated camera apparatus in Mann and Wilska such that upon occurrence of the selected time of day for alarm event, the light source would be actuated for illuminating the object so as to obtain *optimum exposure* of the object while using optimum flash energy for power saving, thereby improving image quality.

Regarding claim 21, see the analysis of claim 22, wherein a series of flashes are output in a series of repetitive bursts.

### *Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**



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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (571) 272-7371. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT.

  
DAVID L. OMETZ  
SUPERVISORY PATENT  
EXAMINER